

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DERRICK DALE FONTROY, I.	:	CIVIL ACTION
THEODORE B. SAVAGE, J.D.	:	
AARON CHRISTOPHER WHEELER	:	
JAMES S. PAVLICHKO	:	
	:	
	:	
v.	:	No. 02-CV-2949
	:	
	:	
MARK S. SCHWEIKER	:	
JEFFREY A. BEARD	:	
DONALD T. VAUGHN	:	
LESLIE HATCHER	:	
KIM ULISNY	:	

ORDER

AND NOW, this 14th day of October 2003, upon consideration of the plaintiffs' Motion for a Hearing (Docket No. 101) and the plaintiffs' Motion for Emergency Relief (Docket No. 102), it is **ORDERED** that the motions are **DENIED**.¹

TIMOTHY J. SAVAGE, J.

¹ Prior to the oral argument on September 30, 2003, each plaintiff revoked his power of attorney authorizing the Department of Corrections ("Department") to receive his mail. Instead, each plaintiff submitted modified powers of attorney to the Department instructing that incoming court and attorney mail not be opened outside of the inmate's presence, in direct contravention of the current Department incoming mail policy, which is at issue in this litigation. The Department rejected these modified powers of attorney and the plaintiffs then filed the present motions. The plaintiffs are not free to unilaterally alter Department policy. In order to receive their incoming mail, the plaintiffs must sign the powers of attorney mandated by the Department. If they do not, they do so at their own peril.